

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MLB PLAYERS INC.,

Plaintiff,

v.

DRAFTKINGS, INC., *f/k/a DK Crown Holdings
Inc.*, et al.,

Defendants.

CIVIL ACTION

No. 24-4884-KSM

ORDER

AND NOW, this 14th day of March, 2025, upon consideration of Defendants' motions to dismiss (Doc. Nos. 34, 36), Plaintiff's opposition brief (Doc. No. 42), Defendants' reply briefs (Doc. Nos. 44, 45), and the arguments made by counsel at oral argument on February 18, 2025, it is **ORDERED** as follows:

1. The motions are **GRANTED IN PART** and **DENIED IN PART**. The motions are **GRANTED** as to Count III, which is **DISMISSED** as duplicative of Count II. The motions are otherwise **DENIED**.

2. By **March 21, 2025**, the parties shall submit a joint report proposing deadlines for the completion of fact and expert discovery.

3. Defendants shall answer the Complaint by **March 28, 2025**.

IT IS SO ORDERED.

/s/Karen Spencer Marston

KAREN SPENCER MARSTON, J.